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OFFICE OF THE ATTORNEY GENERAL



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NOV 19 1981

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Honorable John C. Jay, Jr.
Mayor
City of Greensboro
P.O. Drawer I
Greensboro, AL 36744

Municipalities -- Parks and
Recreation -- Leases

City may not provide upkeep
and improvements for Lion's
Park without lease. City
may join with county in
operating and maintaining a
park.

City may not contribute to
a privately-sponsored youth
baseball league.

Dear Mayor Jay:

The opinion request of the City of Greensboro has
been received in the Office of the Attorney General.
Your request presents three questions.

The first question is:

The Lion's Club has a park adjacent
to the Hale County Park. We have
been keeping up both of the parks

Honorable John C. Jay, Jr.
Page Two

such as grass cutting, weed killing, planting shade trees, and running water lines and paying the light bills for the county's part. Can we continue to provide care and capitol improvements for the above parks?

Constitution of Alabama 1901, Section 94, as amended prohibits the city from providing care and improvements for the Lion's Club Park as it is clearly a privately owned facility. The city may, under Code of Alabama 1975, § 11-86-5, join with the county and, through a recreation board, created under Code of Alabama 1975, §§ 11-86-1 through 11-86-6, operate and maintain a park.

Your second question reads as follows:

Would it be legal for the City to lease Lion's Park so that we may continue as we have in the past by providing the upkeep and capitol improvements for both Lion's park and the Hale County Park?

This question is answered in the affirmative. Code of Alabama 1975, § 11-47-211 clearly provides that a municipality may lease lands, buildings and facilities to be used for parks.

Your final question is:

Can the City continue to give financial support to the Dixie Youth Little League baseball program?

Unless this is a city-sponsored league, and you do not indicate that it is, financial support to the Dixie Youth Little League, is prohibited by Constitution of Alabama 1901, Section 94, as amended.

Honorable John C. Jay, Jr.
Page Three

I do hope that this response sufficiently answers your inquiry. If, however, we may be of further assistance, please do not hesitate to contact us.

Sincerely yours,

CHARLES A. GRADDICK
Attorney General
By--

A handwritten signature in cursive script that reads "Carol Jean Smith".

CAROL JEAN SMITH
Assistant Attorney General

CJS:es